

The Sydney Morning Herald.

THURSDAY, AUGUST 28, 1880. VOL. XXIX.

WEDNESDAY, AUGUST 28, 1880.

No. 4144

CASUALTY FOR ADVERTISEMENTS.
For one inch and under, 3s.; and 1s. for every additional inch for each insertion.

STEAM TO MORRISON BAY.
The **HEMLOCK**,
J. Allen, Commander, will
sail within forty-eight hours
for the arrival.
JAMES PATTERSON,
Secretary,
H.R.N. Co.'s Wharf,
3770.

FOR MORRISON BAY.
The **MARY STEWART**,
having been detained
through contrary winds, will
clear at the Customs this
Day, and sail for the first time
on the 30th inst. For freight
and passage, apply to the Captain,
at the **FOR COMPANY'S** Wharf; or to
THOMAS STEWART,
Esquire, 470, George-street.

FOR PORTLAND BAY.
The fine fast-sailing
Schooner
SOUVENIR,
Daniel O'Connell, master. For
freight, having room for a small
passenger, apply to
HENRY MOORE,
Deputy, 470, George-street.
August 21.

FIRST VESSEL FOR MELBOURNE.
The **UNRIVALLED** packet
boat,
300 tons burthen, Alexander
Collins, (late commander of
the **PROTECTOR**), for freight or passage,
having splendid accommodation, (cabin, below
deck, and stowage), early application is necessary to
SHEPPARD AND ALGER,
Packet Office, 470, George-street.
As it is desirable this vessel should clear at
the Customs to-morrow, passengers are
requested to complete their shipments without
delay.

FOR MELBOURNE.
The **PACKET BRIG**
CHRISTINA,
Captain Koff, will clear at
the Customs this Day.
Shippers are requested to send down their
goods without delay. For freight or passage,
apply to the Captain, on board, at the **FLUOR**
Wharf; or to
SMITH, BROTHERS, AND CO.,
Successors,
470, George-street.

FOR HOBART TOWN.
The **WILLIAM** to-morrow positively.
The well-known
vessel, known by
the name of
WILLIAM,
170 tons, R. F. Pockley,
Commander.

FOR LAUNCESTON DIRECT.
The **PACKET** Schooner
VIXEN,
100 tons burthen, H. A.
Coffey, Commander, now
ready for the **Sydney Flour Wharf**. For
freight or passage apply to
HENRY FISHER,
City Depot,
480, George-street.
Two doors from Bank of New South Wales.
August 27.

FOR PORT NICHOLSON.
The **Regular Trader**
WILLIAM ALFRED,
Captain Tiney, has the
greater portion of his cargo
on board, and will sail in a few days
with heavy freightage. Apply to the Captain,
on board; or to
M. E. MURKIN,
Quinn's-place.

FOR TAHITI DIRECT.
The **FINE** BARQUE
SYMMETRY,
Captain Tiney, now loading at
the Circular Quay, and
positive engagement with the French Government
to sail on the 6th September; has room
for a few tons of measurement goods at a
moderate rate. For freight or passage apply
on board; or to
R. N. BURGESS,
20, Macquarie-place.
N.B.—Bills of lading must be sent in for
signature by noon, on the 4th September.

FOR SOUTH SEA ISLANDS.
The **FLASH**, S. Banes,
master, being now a full
ship, ship for the purpose of
passing their entries at once,
and to clear bills of lading to enable the
owners to receive the same.

FOR HONOLULU.
The **FINE** fast-sailing
Schooner
ELIZABETH ARCHER,
A. J. 388 tons, Charles Cobb,
Commander, now ready for
passage, with only room disengaged for one
hundred tons goods. Immediate application
is necessary to
J. B. METCALFE,
3309.

FOR SAN FRANCISCO DIRECT.
The **SHIP** teak-built
LOUISA,
212 tons, Robert Muller,
master, will clear for the above port on Friday
next, the 30th inst. Shippers are requested
to send down their goods by Thursday
evening, up to which date only goods can be
received.

FOR FRIEIGHT OR CHARTER.
The **FINE** A1 poop-ship
ANER,
254 tons register, Edward Pares,
Commander. Apply to Captain Pares, on board, at Lamb,
Parbury, and Co.'s Wharf; or to
FLOWER, SALTING, AND CO.,
August 26.

FOR FRIEIGHT OR CHARTER.
The **FINE** A1 Poop-ship
ALLODIN,
275 tons, Henry Ferguson, com-
mander. This vessel is expected from New
Zealand on the 2nd proximo, with her dred
weight on board, and will have room for about
50 tons of light cargo. For freight apply to
SMITH, CAMPBELL, AND CO.,
470, George-street.

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TO PASSENGERS FOR LONDON.
The following splendid first-class
Passenger Ships, belonging to Messrs D.
BLINCHER, 808 A. S. Molson, Nov 1
WATKINS, 900 H. Neatby, Jan. 20
All these ships are fitted up in a superior
style for the accommodation of Cabin, Inter-
mediate, and Steerage Passengers, and each
vessel carries a Surgeon.
For plans of cabins and terms apply
to Mr. J. B. METCALFE,
Marquise-place,
Or, to SMITH, CAMPBELL, & Co.,
Spring-street.
Sydney, August 26.

FOR THE MAURITIUS.
The **FINE** first-class Barque
FANNY FISHER,
300 tons burthen, Charles
Harold, Commander, will all up
immediately for the above port.
To passengers requiring comfort, safety, and
expedition, this is a good opportunity. For
freight or passage, early application is neces-
sary to
HENRY FISHER,
City Depot,
480, George-street.
Two doors South Bank New South Wales.
August 27.

FOR MANILA VIA TAHITI.
The **FINE** A1 barque
SYMMETRY,
254 tons register, Charles
Young, Commander. Apply
to
SHEPPARD AND ALGER,
Packet Office, 470, George-street.
August 27.

TO PASSENGERS FOR ENGLAND.
The **FINE** first-class Ship
TASMANIA,
300 tons register, J. C. Tucker,
Commander, will sail for Lon-
don early in September.
The cabin accommodations for this ship
are equal in any of the trade; she has a full poop
and great height both in her upper and lower
cabins, which are well lighted and ventilated.
Apply on board, at the Circular Quay; or to
W. TUCKER,
421, George-street.
Plans of the cabins can be seen at the
Office.

NOTICE TO PASSENGERS FOR LONDON.
The **FINE** fast-sailing
Ship
ALJAX,
A1, 435 tons, John New,
Commander, has two cabins disengaged, and
room for a few intermediate or steerage pas-
sengers. Immediate application is necessary to
M. E. MURKIN,
Or, J. B. METCALFE,
August 27.

TO PASSENGERS FOR LONDON.
By the **Overland Route via Egypt.**
The **FINE** first-class fast-
sailing ship
PAINTED,
750 tons, H. A. Calvert,
Commander, will sail for Port of Spain, Ceylon,
on Saturday, the 21st inst.
This ship will make the passage to Gallie in
about forty days, passengers will therefore have
about ten days more time to the departure
of the steamer, which leaves for Suez on the
19th October. All information about rates of
passage, port steamer from Gallie to Southampton,
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FOR SALE.
The **CUTTER**
OPPOSSUM,
18 tons register; she carries
about 26 tons, draws very little
water, and is in every respect well adapted for
conveying coals from Murrumbidgee Lake, Mac-
quarie, or any other place where there is
shallow water. Apply to
D. N. JOUBERT,
3653, George-street.

Australian Gas-Light Company's Office.
Sydney, 21st August, 1880.
In pursuance of a Resolution passed at
the Annual General Meeting of Proprietors,
on the 17th day of September next, and in
Shillings per share will be payable at the
Bank of New South Wales, on and after Mon-
day, the 2nd September next.

BANK OF NEW SOUTH WALES.
The Election of Directors in the
New Bank will take place at the Bank-
ing House, George-street, on Tuesday, the
17th day of September next, at noon, and
Candidates for the office of Director are re-
quired, on or before the 3rd day of September
next, to give notice in writing of their inten-
tion to offer themselves for election to that
office.

THE AUSTRALIAN BENEFIT INVESTMENT AND BUILDING SOCIETY.
NOTICE is hereby given, that a Special General Meeting of the Society will be held at the office of the Society, 470, George-street, on the 28th inst., at 3 o'clock p.m., for the purpose of considering the amendments and additions made in the rules of the Society at the last General Annual Meeting. Notice is also given, that immediately after the business of the meeting, a Special General Meeting of the Society will be held at the office of the Society, 470, George-street, on the 28th inst., at 3 o'clock p.m., for the purpose of considering the amendments and additions made in the rules of the Society at the last General Annual Meeting.

THE AUSTRALIAN COLLEGE.
The Classes of this Institution will
be held in the Hall of Public Lec-
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time past been undergoing repairs. The
branches at present taught in the Institution
are as follows, viz:—
Latin and Greek—Rev. Professor Ridley,
B.A.
French and Mathematics—Rev. Professor
Goethe.
Intellectual and Moral Philosophy—Rev. Pro-
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Pupils or students proposing to join either
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PROMENADE CONCERT at the ROYAL HOTEL.
This Evening, this and positively the last
performance on Two Patent Harmoniums.
PROGRAMME.
1. Overture to the Red Cross Banner; Mr.
Sigmund. Patent Harmonium.
2. Cavatina-Sommo Cielo; Madame Gautrot.
Rosalie.
3. The celebrated Pesti Air, with Variations;
Messrs. Emanuel and Sigmund. Patent
Harmoniums.
4. There is a Flower that bloometh; Signor
Nicolo. Waltons.
5. Wild Flowers, Waltzes; Messrs. Emanuel
and Sigmund. Two Harmoniums.
6. Ma Fiancée est charmante, with varia-
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monium.
7. Comic Song—Fair Rosamond; Mr. Sig-
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This Evening, this and positively the last
performance on Two Patent Harmoniums.
PROGRAMME.
1. Overture to the Red Cross Banner; Mr.
Sigmund. Patent Harmonium.
2. Cavatina-Sommo Cielo; Madame Gautrot.
Rosalie.
3. The celebrated Pesti Air, with Variations;
Messrs. Emanuel and Sigmund. Patent
Harmoniums.
4. There is a Flower that bloometh; Signor
Nicolo. Waltons.
5. Wild Flowers, Waltzes; Messrs. Emanuel
and Sigmund. Two Harmoniums.
6. Ma Fiancée est charmante, with varia-
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7. Comic Song—Fair Rosamond; Mr. Sig-
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SHIPPING INTELLIGENCE.

ARRIVALS.

August 27.—*Coquette*, schooner, 75 tons, Captain Johnson, from Tahiti; 12th July, and Upolu, the 2nd August. Passengers—Mr. William Plunkett, Mr. Charles Nichols, Wm. Evans, Wm. Sparks, John Tippet.

DEPARTURE.

August 27.—*Leone*, American ship, 770 tons, Captain Chase, for San Francisco via Newcastle.

CLEARANCES.

August 27.—*Santipore*, barque, 515 tons, Captain Robinson, for Port Cooper via Twofold Bay. Passengers—Mr. Isaac Polack, Mr. William Griffith Jones, and eight stockmen.

COASTERS INWARDS.

August 27.—*Plover*, 12, Kohler, from Brisbane, with 200 bushels shell; 12th July, and Upolu, the 2nd August. Passengers—Mr. William Plunkett, Mr. Charles Nichols, Wm. Evans, Wm. Sparks, John Tippet.

COASTERS OUTWARDS.

August 27.—*Mary Ann*, 12, Christie, for the Hakea, in the morning; 12th July, and Upolu, the 2nd August. Passengers—Mr. William Plunkett, Mr. Charles Nichols, Wm. Evans, Wm. Sparks, John Tippet.

IMPORTS.

August 27.—*Coquette*, schooner, 75 tons, Captain Johnson, from Tahiti; 12th July, and Upolu, the 2nd August. Passengers—Mr. William Plunkett, Mr. Charles Nichols, Wm. Evans, Wm. Sparks, John Tippet.

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For LIMA via NEWCASTLE.—By the *Osprey*, on Friday evening, at 6.

WRECK OF THE SUBAN.—The wreck of the schooner *Suban*, lying in the bar of the Clarence River, was sold by auction by Mr. George A. Lloyd, on the 23rd instant, to Mr. George Coleman, for £205.

The *Suban* left the heads of San Francisco the same day with the *Balmora*, but having called at Rotamah for water, was detained there five days, and met with some very heavy weather since leaving that island. The *Salacia*, brig, was announced to sail for Sydney on the 14th July. The *Suban* brings back 25 passengers, originally from Sydney, who seem to say that California is not the Happy Valley they thought it was on first embarking for that country.

The *Coquette* brings no news from the South Sea Islands, where she has been trading; the remainder of the crew of the unfortunate *Bradley* have come up in this vessel.

DIARY.

REMARKS TO THE PUBLIC PUBLICATION.
August. SUN RISES 6.15. MOON SETS 11.41. 0. 28. WEDNESDAY 16.24. 3.36. 11.41. 0. MOON—last quarter, 12.22 A.M., August 31.

THE Sydney Morning Herald.

WEDNESDAY, AUGUST 28, 1860.

"Sworn to no Master, no Sect am I."

DEBATE ON THE DOUBLE OR SINGLE CHAMBER QUESTION.

It had long been obvious that the portion of the Australian Colonies Government Bill upon which the strength of Ministers would be put to the severest test, was that which related to the structure of the proposed Legislatures. And such appears to have been the fact. When the House went into Committee on the sixth clause, authorising the establishment of Legislative Councils in Van Diemen's Land and South Australia after the model of the existing Council of New South Wales, all that had been previously written and spoken on the vexed question of a single or a double chamber was again brought forward, and urged on both sides with redoubled vehemence. Ministers would not give way; and of three amendments, one, moved by Sir W. MOLESWORTH, for the establishment in Van Diemen's Land and South Australia respectively of a Legislative Council and a House of Assembly elected by the colonists, was lost by a majority of 68; another, moved by Mr. ANSTON, on a mere point of detail, was negatived without a division; and the third, moved by the same gentleman, for the exclusion of Crown nominees, was rejected by a majority of 132.

In the course of his explanations of the views under which the Government had deemed it right to maintain the clause, Mr. HAWES, the Under Secretary for the Colonies, speaking of the Act of 1842, under which this colony is now governed, stated that Lord STANLEY had succeeded in carrying that measure "through both Houses without a single division." This fact, though adverted to by the honorable gentleman with evident complacency, has ever been regarded by the colonists with indignation and disgust. For what did it amount to but a tacit admission that the colonies were beneath the notice of Parliament, and might be left entirely in the hands of the Minister? Often and often, during the last eight years, have we denounced this contemptuous apathy as one of the sorest grievances of which England had given us reason to complain. But the grievance of 1842 has not been repeated in 1850.

Excepting the Bill for suspending the Constitution of Jamaica, for uniting the Colonies, and for renewing the charter of the East India Company, we do not remember that, during the last thirty years, any measure affecting the dependencies of the Crown ever attracted so much attention as this Bill for the government of Australia. Whatever may be its intrinsic merits or demerits, we cannot complain that our new Constitution, like its predecessor, has been carried by the Minister "without a division." He has had to fight his way inch by inch. Lord STANLEY, contrasting his easy triumph of 1842 with the present hard-won victory of Lord JOHN RUSSELL, may well wonder at the change that has come over the spirit of Parliament.

Our readers will have observed in this as in the previous debates on the Bill, that Ministers strictly adhere to the principle laid down in the Report of the Privy Council's Committee—that no material change should be made in our existing constitution without the express consent of our own Legislature. And we will be remembered that the concession of this principle was won by the spirited remonstrances of the colonists, three years ago, against the un-English constitution with which we were then threatened. Amongst the numerous petitions which were at that time sent home from almost every town and district in the colony, there was scarcely one in which that principle was not distinctly and energetically asserted. The Privy Council, after recognising its justice, and hence, while they did not consent to their own original predilection in favour of a double chamber, they recommended that the settled order of things should remain undisturbed until the parties most concerned should have signified their wish for a change.

On this principle Ministers framed the measure which is now doubtless an Imperial Statute; and on this principle alone have they all through defended its more important provisions. Lord JOHN RUSSELL, we dare say, is as firmly convinced as Sir W. MOLESWORTH, or any of the honorable baronet's supporters, that an upper chamber would be an improvement to the fabric of our Legislature, provided the colonists were in favour of it, and had materials for its construction. But his LORDSHIP would not force it upon us. "He called upon the Committee to sanction a principle known to the colonists, approved by them, and in actual operation for eight years, rather than to form an altogether new constitution, of very doubtful adaptation to the position of the colony, and of very uncertain acceptance there."

Mr. HAWES, referring to the modifications adopted by Earl GREY in consequence of the Privy Council's Report, asserted that "this Bill was founded upon the broad principle of meeting, as far as possible, the opinions and wishes of the colonists. The honorable and learned member for Sheffield said, the Government ought to frame for the colonies the best constitution in their power. He (Mr. HAWES) denied it. He distinctly denied it; and he took his stand upon a broader principle than that laid down by the honorable member. He maintained that they ought to frame a constitution for the colonies as far as possible in conformity with the wishes of the colonists themselves." Alluding to the 35th clause, empowering the Colonial Legislatures, with the assent of Her Majesty in Council, to alter their constitutions, the UNDER SECRETARY "begged to state distinctly on the part both of his noble friend the SECRETARY FOR THE COLONIES and the Government generally, that in conferring upon their constitutions the power of altering their constitutions, they would allow them honestly to exercise it, so as to secure those reforms and changes which they deemed necessary for their own welfare." "He entreated honorable members not to be guided by their own predilections in favour of either of the two forms of government; but to consider whether they were not more likely to conciliate the colonists by giving up the right which the Imperial Parliament possessed to impose their own form of government upon them."

In all this, our fellow-colonists may recognise the successful result of their own efforts in the years 1847 and 1848. And let their past successes encourage them to hope for the future.

Our attention having been specially directed to the advertisement convening the meeting of electors, which appeared in yesterday's *Herald*, we have no hesitation in stating that it contains language which is in our opinion so improper and inflammatory, that had we noticed it, we should certainly have declined to allow it to appear in our columns. The only excuse we have to offer to our readers is, that the notice having been sent to the office late in the evening, it obtained insertion without its tenor having been duly considered.

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LEGISLATIVE COUNCIL.

TUESDAY.
THE SPEAKER took the chair at twenty-five minutes past three.

THE COLONIAL SECRETARY, as Chairman of the Select Committee appointed to consider the question of Police, laid upon the table the Report of that Committee, and moved that it be printed.—Ordered.

Mr. WENTWORTH presented a petition from Henry Fisher, of the Glenmore Distillery, praying certain alterations in the Distillery Laws, and the imposition of increased duties upon imported spirits.

Mr. EDDEN presented a petition from certain merchants of Geelong, complaining that the duty upon British gin, owing, as they conceived, to an oversight, being suffered to remain at an equal rate with that upon foreign spirits, and praying that it might be reduced.

The COLONIAL SECRETARY remarked, that the petitioners were mistaken in supposing that this was the result of an oversight. A Bill to reduce the duty chargeable upon British gin had been introduced by the Government last year, and had been rejected by a very large majority of that House.—The petition was then received.

Mr. DONALDSON presented a petition from certain persons who had committed their names to the Committee of the Friends of the Colonies, praying that a majority of the House should be appointed to consider the question of Police, and that the Committee should be empowered to make such recommendations as they might think fit.

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rocks, Engineer's Quarters, the batteries at Dawes' Point, Fort Phillip, Fort Macquarie, and Bradley's Head. The barracks at Melbourne being already a colonial building, and the same being the case with the barracks at Sydney, it was proposed to make great reductions in the estimates sent down to them by the Governor. Perhaps it might be owing to the wayward disposition of the officer who administered the Government at that period—perhaps to the novelty of his position, but the representatives of the people in that session did successfully oppose the Government; but their triumph, if it was a triumph, had since gradually decayed. The expenditure which the first Council had so successfully resisted, had since risen beyond its former extravagance. He could only attribute this to the undue influence of the members appointed by the Crown. If the Government had the power to appoint one-sixth of the members—with the influence they must otherwise possess, he held that if such Government could not command a majority in the House, it would be time for them to resign. He believed a mixed form of legislation of this sort would, in this colony, be infinitely superior to two Houses constituted in any way that might be, whether nominative or elective. Nothing in his intention to move this amendment in his resolution, he should be content to pass by, without comment, the second resolution, the principle of which had been affirmed by the House. The third resolution, as related to the Schedules, and was as follows:—

3. That in the opinion of this House, the Schedules A, B, and C, appended to the Imperial Act 5 and 6, Victoria, chapter 76, are a grievance; that they are opposed to the principle of the Imperial Act 5 and 6, Victoria, chapter 76, which places the appropriation as well as the imposition of the tax upon the colonists; and that the tendency of these Schedules, independent of the fundamental objection to their being referred to the Imperial Government, is to encourage a wasteful expenditure of the public money, and to place in the hands of the Governor the power to the people's representatives.

In the present Act the Schedules appropriated a very large portion of the revenue of the colony, and in the new Act it was proposed that they should be increased by the sum of £10,000. This was a grievance, and it was a grievance that these Schedules were a great grievance, and it did appear strange that the repeated appeals of the Council to the Home Government in regard to them should have been so long delayed. It was evident that there was no hope that anything could be effected in Council alone—that would operate on the Colonial Office, unless they could get some third party to assist them, and he did believe that by the aid of the Imperial Government, and by the hands of those in England who, whether from friendly feelings to the colony, or from party motives, had taken colonial affairs into their most serious consideration. These resolutions would give them ground on which to prosecute their claims for the benefit of the colony, or to assault the Government more effectively. The fourth resolution was as follows:—

4. That in the opinion of this House, the Imperial Act 5 and 6, Victoria, chapter 76, which places the management of the lands of the colony, and the appropriation of the revenue, is a grievance; that the whole value of these lands has been imported to the colony, and that the revenue derived from the sale of these lands has been expended upon the colony, and not to the Crown, it follows that the entire revenue derived therefrom, whether by sale or rent, ought to be referred to the Imperial Government, and not to the local Government, and that the revenue derived from the sale of these lands has been expended upon the colony, and not to the Crown, it follows that the entire revenue derived therefrom, whether by sale or rent, ought to be referred to the Imperial Government, and not to the local Government, and that the revenue derived from the sale of these lands has been expended upon the colony, and not to the Crown, it follows that the entire revenue derived therefrom, whether by sale 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is a statement of figures, which he read the day, that nine-tenths of the produce of this colony was exported to the fifth resolution, passed. With respect to the fifth resolution, he could not agree with it. Although exceptions could be made, he believed that the character of the emigration was not so good as it should be. It was usually have been encouraged in any system that could be devised. In some instances had characters derived from the colony, but he thought might have obtained certificates, but, generally speaking, the character of the emigrants to this colony he considered most respectable, and he believed had been very serviceable in developing the resources of the colony. The hon. learned member, in the course of his remarks, alluded to the correctness of his observations, had alluded to the fact that he had been made acquainted with Sir Richard Nicholls, who had taken up the land found for the colony, in consideration of its taking upon the expense of police and gaol. He had characterised the conduct of the Government in this respect as a breach of faith. Now the (Colonial Secretary) had now admitted that the terms of this compact were what the hon. and learned member had said, but, presuming that the whole of it was for the land, minus the expense of survey, had been devoted to immigration. He now came to another grievance, which the hon. and learned member had complained. In the face of resolutions, the hon. member had attempted to show that the Government would be made in the collection of the revenue from what existed under the present Act. That other department was the Treasury, besides the Government would be taken from the collection of the Council; but the hon. and learned member had taken the trouble to read the words of the different Acts at this point, he would have found some pretty clearly similar. With respect to the fifth resolution, which complained of the poor, infirm, and decrepit, being thrown upon the colony when they ought to be supported by English funds, he admitted that there was some hardship. But the resolution was grossly defective too. The honorable member seemed to forget that there was a Lunatic Asylum at Parramatta, which was appropriated for the reception of convicts who had been sent there, and was maintained at the cost of the colony. A sum had been appropriated from a like source to the maintenance of the Benevolent Asylum, but this sum was gradually diminishing, under the impression that transportation having been charged of this sort should be supposed on the British Treasury. He regretted to say, however, that this assumption was not correct, and that perhaps a larger number of those who had been criminals were sent to the colony, and benefit of that society than any former period. The honorable and learned member, in his remarks on the sixth resolution, respecting the reservation of title for the English, he had alluded to the fact, which he referred to the Bill which he had brought in, to disqualify government officers from becoming members of that House. He (the Colonial Secretary) had opposed that Bill, because the Government was not prepared to grant that franchise which was given to all Her Majesty's subjects in this colony, and the deprivation of which inflicted on officers of the Government, would be, he must say, the most serious and the most objectionable of any that the Bill he agreed. Perhaps it would be well that subordinate officers of the Government and contractors should not be eligible for election; and he also concurred in the exclusion of those who had been criminals, and who would not admit the justice of any measure which should exclude any of the higher officers of the Government from being elected members of that House. He must say, he was surprised that the honorable member in reference to the tenth resolution, in reference to the arrival of transported convicts from Van Diemen's Land in this colony; and he must say that the Government was not prepared to give grace from the author of the Transportation Committee's Report. He believed the honorable and learned member had been much misinformed as to the number of convicts to whom it had been proposed to grant the franchise, and he did not believe there were 12,000 in the whole colony of Van Diemen's Land eligible for such an indulgence. Then, with reference to the condition that certain certain holders of land should be granted the franchise, he believed that condition was applicable only to those who had been committed for the first time in the course of this colony, and the object of the condition was to prevent the recurrence of those who had been committed to the scenes and associates among which they had been led into crime. No doubt that this was a questionable way of exercising the Royal prerogative of mercy, and that it was not a fair way of dealing with the colony on its neighbors. With regard to the fifth resolution, he regretted exceedingly that the hon. and learned member had done so state the merits of Port Jackson, and should have been more glad to have taken any measure proper to remove to remedy this evil by any hon. member. It was a matter which had occupied a very large amount of the attention of the Government. The House had passed a Bill, the Royal Assent had been given, but the Bill was not yet ready for the Royal Engineer, but some which would be required would be so large to carry these plans out, that without setting aside every other consideration, he believed that the Government was not prepared to do so. He thought he had in his earlier observations sufficiently shown that the time chosen for these resolutions were most inopportune—that even if they were carried, they would have no practical effect, and he therefore felt compelled to oppose them.

Mr. DARVILL: The various details embodied in these resolutions had been so often before the public, and had been so frequently discussed, that he did not think it necessary for the argument as to their coming in so frequently was of any weight, it would go to prevent any protest at all against any grievances which might be supposed to exist. He believed, indeed, that the Government was not prepared to do so. He thought he had in his earlier observations sufficiently shown that the time chosen for these resolutions were most inopportune—that even if they were carried, they would have no practical effect, and he therefore felt compelled to oppose them.

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The House agreed in the opinion that the Royal prerogative of mercy had been greatly abused, and that this abuse had been made the means of pouring into that colony a polluted stream of labour. He conceived that it would be better to secure the reformation in the form of an address than in the shape of a petition.

Mr. MARTIN conceived from the thinness of the House and the dry and uninteresting nature of the discussion, that must agree in the belief expressed by the Colonial secretary, that these resolutions were brought forward most inopportunistly. The probability that the new Bill would be passed before these resolutions could arrive home would not, however, form any reason against an assertion of what the House might believe to be the rights of the colony. He believed that the whole protestation of a desire to grant free and liberal institutions to the colony had been secured first in the shape of a resolution, and then the thinness of the House, and the length at which this subject had been discussed by the honorable mover and the Colonial secretary, he should not detain the House by any observations beyond the statement that, at his intention, to move the amendments of which he had given notice.

Mr. WENTWORTH intimated his readiness to accede to the verbal amendments suggested by the honorable and learned member for Bathurst.

The first resolution having been amended so as to imply only half of the Governor's salary from criminal fines, was put and passed.

The second resolution was then taken. Mr. Wentworth had stated his intention to postpone No. 2, was withdrawn, as was also resolution No. 2, as printed. The latter was withdrawn upon the suggestion of the GOVERNOR, who stated that the subject matter had been already embodied in a resolution passed during the present session upon the motion of the hon. member for the Northumberland Borough.

Upon the third resolution the House divided with the following result:

Ayes, 9.	Noes, 5.
Mr. Erbert	The Colonial Secretary
Mr. Macdonald	Mr. Wm. Macarthur
Mr. Cooper	Parker
Oakes	Darvall (teller.)
Byrnes	
Nichols	
Dr. Dickinson	(teller.)

The fourth resolution was carried on division by a majority of eight to four. The difference in the result was occasioned by some of the members having retired.

Upon putting the question upon the fifth resolution, it was found that there was not a sufficient number of members present to form a quorum.

The House broke up at five minutes to seven p.m., until three o'clock the next afternoon.

LAW INTELLIGENCE.

SUPREME COURT.—TUESDAY.

EQUITY JURISDICTION.

HIS HONOR sat to-day for a short time and delivered the following judgment:—

THE TRUSTEE AND ASSORTED CREDITORS OF THE ESTATE OF GEORGE COWELL.

HIS HONOR said: I can see no sufficient ground for complaining that the plaintiff Murphy is made an accounting party equally with the co-trustees, the defendant Cowell. If not directed to do so, the plaintiff would be obliged to call on the defendant to disclaim in the express terms of my decree, the making him so is within the spirit of my directions, and the only thing for me now to see is whether or not it is right on these pleadings and facts that he should be so. He is responsible on account to account in the manner prescribed by these minutes; in the first place though he states "he was not desirous of accounting, yet he was not never renounced part of the estate, the property, but he actually proved the will in October, 1847;—and, further, he goes on to say, that he determined to act in the trusts for the protection of the testator's estate; and I find hereafter made an accounting party out of the Bank of New South Wales £5000 of the moneys of the estate—though it is quite unexplained for what reason it was drawn—to what purpose it was applied—or that there was any other account of the money, or that it was drawn at all. It is stated on his behalf, that Murphy is willing to account for this sum, but I cannot limit his accountability to this one transaction, yet he is bound to his co-trustees, and consequently liability to an equal participation of the trust. But if he act at all (though it be only as to part, and though he expressly disclaim the intention of interfering generally, he will be liable with the acceptance of the trust, and with all the responsibilities attending it. His proving the will, and his conduct in interfering with the trust, by withdrawal of the money, constitute binding proof of his acceptance of the trust. Under such circumstances, he involves himself in equal responsibility for the performance of the duties of the trust as his co-trustees Cowell. It is a matter of no moment that Murphy is a plaintiff here; by the nature of a bill for an account in Equity, both parties are accors, and liable to account.

It was contended that though Murphy never renounced expressly, he did so impliedly, as in the case of *Sturges v. Muggill*, &c., &c., 1835. If so, as the plaintiff alleges that he renounced in his bill, and have proved his renunciation. But he does nothing of the kind,—all he alleges is that he did not act so, and afterwards he takes from the Court the £5000 of the trust, at least of it, before the allegation of an unwillingness to act.

It was urged, that if Murphy was obliged to account, he would throw up the suit, and as plaintiff he would not be bound to proceed. But it would not be found quite so easy a matter to get rid of the suit. The real plaintiff here is not Murphy, but the infant Webster. Besides, if he were to relinquish it, a new next friend must be appointed.

It would indeed be a great injustice to that infant if the Court were to allow one trustee to escape from accounting to him, because he institutes a suit as plaintiff, and intend to get the estate out of him. By such means Murphy might have appropriated the whole of the property to himself, and avoid accounting for it, by merely assuming the position of a plaintiff. At least he has put himself in a position to get the estate out to compel him to account. Even if he could do so in another suit, for it is questionable if Murphy to another suit could not plead this decree as a matter already adjudicated.

It was urged, that the watch was in a tin box, and the money tied up in a silk handkerchief. Besides the property named in this information, Synth lost two money orders for larger amounts, which Thomas subsequently gave away. Synth was with the tin box in which the watch had been kept, saying that his child had found this property in the creek. In cross-examination, this witness admitted that he had drank a good deal at the time, that he had been drinking with the tin box in his pocket, and that he had even suffered the two

to be searched in his house without declaring their innocence. His excuse for this was, that he was desirous of making a mystery of the matter, in order that he might the more readily get back his property, by leading them to believe that he had been robbed.

By the evidence of the constable, John Whalen, it appeared that Smyth was very drunk at the time of the alleged robbery, and that he had in the first instance accused the constable of having stolen his watch; the prisoner's house, however, being afterwards visited, which Smyth claimed as the one which he had lost. Upon mentioning this fact to prisoner, the latter said that it must be the watch which he had lost, and that he was ready to swear to it on the other hand, although he admitted, upon an exchange, said that the watch which was handed over at that occasion was a different one. The deposition of this witness at the Police Court has led to great trouble, and has dictated the evidence which he gave today in several particulars. The whole of this man's evidence was given in a loose and unsatisfactory manner.

The Attorney-General, who for the defence, called

William Hibbard, publican, who deposed that Smyth and two exiles came to his house on the afternoon of the robbery; that he was present at the time, and saw Mr. Hendon give Smyth any drink, but the exiles gave him some; Smyth exhibited neither watch nor money in his house; turned them out of the public-house; they went away together; the prisoners were afterwards seen at the residence of Mr. Hendon having summed up, the Jury retired for a few minutes and returned a verdict of not guilty, and the prisoner was discharged.

STRENGTHENING A FORGED NOTE.

Henry Morgan, alias "the Turkey," having, at Sydney, on the 26th June last, feloniously uttered a forged cheque, purporting to be drawn on the Bank of Australasia, by the Rev. T. Hassall, for £9, knowing the same to be false, and the prisoner pleaded not guilty, and was undefended.

It appeared from the evidence that the prisoner had been living in the service of Mr. Hassall about two years ago, and that he had been the bearer of a note, signed by Mr. Hendon of the Bank of Australasia, proved that the prisoner presented a cheque for payment at the Bank on the 26th June, and when questioned as to how he came by it, said he had bought it of the house where the Rev. T. Hassall signed the signature at the bottom of the cheque was not Mr. Hassall's; he was then given into custody, when searched there was found on his person two other forged cheques, one of them signed by Mr. Hendon, and the other by "John Ferris." It also appeared that he had presented to Mr. Pawsey, of Castlereagh-street, a forged promissory note, purporting to be made by Mr. James Macarthur.

The Attorney-General, who for the defence, called at the time he presented the cheque, he believed it to be genuine, and prayed the mercy of the Court, as it was his first offence.

His Honor having summed up, the Jury returned a verdict of not guilty, and recommended him to mercy on account of his youth, and previous good character.

He was remanded for sentence.

HENRY MORGAN (the last prisoner) was then charged with having entered the house of the Rev. T. Hassall, of Denbigh, on Sunday, 23rd June, and stolen therefrom a double-barrelled gun.

Owing to an informality in the indictment, the prisoner was acquitted on this charge, but a new indictment will be made out day.

The Court adjourned at four o'clock till ten o'clock this morning.

BATHURST CIRCUIT COURT.
THURSDAY, AUGUST 22.
Before His Honor the CHIEF JUSTICE.
FOREMAN.

Charles Ellsworth was indicted for uttering forged cheques or orders for the payment of money, to wit, £7, and for abetting and assisting in such uttering. The latter was defended by Mr. Holroyd. On the 25th April, the two prisoners went to a public house kept by Michael O'Shea, at Montefiore, near Wellington, where they obtained three guineas and ran up a heavy score, in payment for which Ellsworth tendered a cheque for £7, purporting to be drawn by G. House on the Bank of New South Wales: this was taken, and either £4 or £5 of the stolen money was given to the latter part of the day the prisoner Ellsworth tendered another for £12, purporting to be drawn by the same party on the same Bank, but as there appeared a difference in the handwriting, it was not accepted, and was headed, and subsequently Forbes. At an early stage of the proceedings, his Honor suggested that in the information the cheque was laid as purporting to be drawn by George White, which the attorney for the Crown stated to be untrue, and that the drawer, stated to be Kouse. The principal witness in this case was the publican, O'Shea. His deposition, taken before the Bench of magistrates at Wellington, was put in and read, between which and the evidence of the constable, who was called, great difference. When under examination before the magistrates he stated that Forbes had said, that the cheque had been received from Mr. Moore, and that it was all right, and that he would take care of the money if given in change. At the trial, he said that Forbes did not speak or at all interfere on the occasion. At the conclusion of this witness's evidence, his Honor said, that it was clear and beyond doubt, that the guilt of gross and wilful perjury, and sentenced him to six months imprisonment in Bathurst Gaol. According to the evidence on the trial, there was nothing adduced to implicate Forbes, and he was accordingly acquitted, and was ordered to go against Ellsworth, and the Jury at once returned a verdict of guilty. Sentence—three years Parramatta Gaol, with hard labour.

MAIL HONESTY.

James Walker, who had on Monday pleaded guilty to this offence, was placed at the bar for sentence, which was, that he be imprisoned in Parramatta Gaol for three years, with hard labour.

MAILS AND OTHERS.

John McPherson, who on Monday had been convicted of manslaughter, was sentenced to two months' imprisonment in Bathurst Gaol.

MAIL HONESTY.

John Barry, who had been previously convicted, and sentenced to ten years on the roads or public works, for robbing the Mudgie mail, was again placed at the bar charged with robbing the Wellington mail on the 25th February last. On the evidence of the witnesses, and of the driver, who stated that the dog named, about three a.m., when about five miles from Guydon, and seventeen miles from Bathurst, three men, disguised with black-and-white faces, got into the mail, rushed from the bush and demanded him to come down, and that he was afraid to do so, when he was ordered to bail up, and was robbed of 22s. in cash, and a watch, his own property; and another watch, and a pair of boots, and was conveying to the gaol for another prisoner. In the thirteen witnesses were called for the prosecution, some of them proving the posting the stolen orders; three proved the tending by the prisoner of the horses, and the receipt of the money, and very clear one, and the jury, without retiring returned a verdict of guilty. Sentence, transportation beyond the seas for life.

FORGERY.

John Thompson, who was indicted for uttering a forged order or cheque for the sum of £4, purporting to be drawn by St. Lowe, on the Bank of New South Wales. The prosecutor stated that he and prisoner had stopped at a house at the residence of Mr. Hendon, and commenced gambling by playing at all-fours; that the cheque alluded to was staked by the prisoner; that this cheque was won by the prosecutor, and was passed by him to a dealer in stolen goods, who was known to the prosecutor as a dealer in stolen property, and the prosecutor was at first apprehended for uttering, but on giving information of the prisoner he was liberated. At an early stage of the proceedings, the Attorney-General asked whether he could carry the case no further, in consequence of the absence of a material witness. Verdict, not guilty.

CHILD MURDER.

An infant male child, aged five or six months, Ann Macfaldin called for this offence. As it was found that the prisoner was unprovided with the means of employing counsel, His Honor requested Mr. HOLMUD to defend her, which he kindly consented to do. Two or three witnesses were called, and claimed exemption on account of having been

The Coroner inquired whether his request was accorded to. The Jury, after an absence of an hour, returned a verdict of concealing the birth. Sentence, two years' confinement in Bathurst Gaol, the first twenty-eight days in solitary confinement.

SUBSIDY.

John Moore was indicted for offering a bribe to a constable. It appeared that the prisoner had absconded from the service in whose employ he was at Kase, and a reward of £3 was offered for his capture. On the morning of the instant he was apprehended by the Chief Constable, and handed over to Constable Finnerty to be conveyed to the lock-up; that on the way there the prisoner put into the hands of Finnerty, £2, as a bribe, and that the amount of the reward offered for my apprehension—let me go?" Finnerty told him they did not do business that way at Bathurst, and took him to the lock-up. The case was a clear one, and the Jury, without stinting, returned a verdict of guilty. Sentence, one month in Bathurst Gaol.

FIDAIKY.

HIGHWAY ROBBERY AND ASSAULT WITH INTENT TO COMMIT SUICIDE.

Lachlan Byrnes, alias Mullingar, was indicted for robbing and assaulting Catherine Lawler, with intent to commit a rape on her person, the charge of robbery was however abandoned. The Jury, without hesitation, returned a verdict of guilty. The SOLICITOR-GENERAL mentioned that the prisoner had previously been tried before him for a confidential offence, and sentenced to seven months' imprisonment in Bathurst Gaol; at the end of that period to enter into sureties, himself in £80, and two others in £40 each, to keep the peace for three years, and to imprisoned until those sureties were entered into.

HOMES STRAYLING.

Michael Marmion was placed at the bar on this charge.

The SOLICITOR-GENERAL said, that in consequence of the absence of the most material witness, James Wood, he was unprepared to place the prisoner on trial; and at his suggestion the recognizances of John Gillingham, who has been treated, and the case remained until the next Assizes.

LARCENY.

Thomas Vawser was indicted for stealing sundry articles, the property of Mr. Edward Austin, and Ellen Prince, with receiving, knowing the same to be stolen. Vawser was defended by Mr. Holroyd.

It appeared that Vawser had been employed in a confidential manner by Mr. Austin for three or four years, that until recently he had no reason to suspect his integrity; that he (Austin) had received a letter which caused him to institute an investigation, and he then found many articles from his store; he made an affidavit, procured a search-warrant, and on proceeding to the premises occupied by the woman, found many articles that had been taken from his store, and the receipt of the goods from the woman entering the room occupied by the prisoner on the premises of the prosecutor, other articles had been found which had been stolen. Vawser said, on being taxed with the robbery, that those articles had been taken from his debt; this, however, was found not to be the case.

The Jury, after an absence of half an hour, returned a verdict of guilty against Vawser; not guilty against the woman Prince. Vawser returned a verdict to three years' imprisonment in Bathurst Gaol.

SATURDAY.

Edward Finnerly, convicted of manslaughter, was sentenced to five years on the roads or penitentiary.

Ann Malcolm, found guilty of infanticide in this case; she had at first been sentenced to serve the first twenty-eight days of her sentence in solitary confinement. His Honor said that if the weather was so cold, and the wind so weather, this might be too severe, and that part of the sentence was altered to the first week in each of the first four months.

DOMESTIC INTELLIGENCE.

INSOLVENT COURT.

TUESDAY.

MEETINGS TO-MORROW.

In the estate of Henry Harris, a single meeting, at half-past 10 o'clock.

In the estate of William Branch, Charles Williams, and William Hopkins, certificate meetings, at noon.

ABSTRACT OF SALES BY AUCTION THIS DAY.

MR. O. A. LLOYD.—At the City Mart, at 11 o'clock, Groceries, Raisins, Currants, Currorty Twine, Prunes, Vinegar, Mustard, Arrowroot, Isinglass, Raisins, Paper, Compature Mantle Pieces, Herrings, Sugar, Oatmeal, Walnuts, Almonds, Cayenne Pepper, Hyson Tea; at 11 o'clock, 11 casks of Muslin, and School Books, Gutta Percha and India Rubber Sundries; at 12 o'clock, the schooner Marian Watson, burthen 200 tons.

MRS. J. G. COHEN.—At the Rooms, at 11 o'clock, Furniture, Glass, Earthenware, Corks, Pipes, damaged Boots, Shoes, Knives, Scissors, &c.

MR. J. RICHARDS.—At his Rooms, at 11 o'clock, Drapery Goods, Men's Dress Soft Goods, Groceries, Glass, Earthenware, Dinner and Breakfast Services, China, &c.

MR. T. HUELEY.—At the Military Barracks (at the Officers' Quarters), opposite the Post Office, George-street, at 12 o'clock, Bedsteads, Wickerwork, &c.

MR. STEWART.—At the Horse Bazaar, 20 Pitt-street, at 11 o'clock, Horses, Mares, Cow, &c.

DR. LANGO.—A meeting was held yesterday, pursuant to advertisement, in the old Barrack-square, Mr. J. R. Wilshire in the chair, for the purpose of considering the vote passed by the Legislative Council in reference to Dr. Lang. The Chairman having read the resolution, and the Mayor and the subsequent correspondence, with the advertisement concerning the meeting, it was moved by J. M. Grant, seconded by Mr. C. P. Grant, seconded by Mr. E. J. Hawkesley, "That the Legislative Council, in its refusal to appoint a Committee to inquire into the charges preferred by the Secretary of State against Dr. Lang, member of this city, and then to suspend him from office, and condemnation on that honorable member, without evidence, and under the colour of a mis-statement that it had been invited by him to sue to sue, and to sue, and to sue, and to sue, in the opinion of the Council, that this procedure has been altogether most factious, unprecedented, and unjustifiable, and is calculated greatly to impair public confidence in the Government."—Moved by Mr. Aaron, seconded by Mr. R. Stewart,—"That this meeting cognizant of the fact that only thirteen members were present when the decision in the case of Dr. Lang was given, and that the Colonial Secretary, the Colonial Treasurer, the Collector of Customs, the Attorney General, Messrs. Parker and Kelly, nominees, and Messrs. Wentworth, Donaldson, Darvall, and others, who were present, and that the Council is in this matter, and, hereby expressing its entire confidence in his public honesty and integrity, pledges itself to afford him every constitutional support as his freely constituted representative."—Moved by Mr. Dadehall and seconded by Mr. Hawkesley—"That a petition founded upon the foregoing resolutions, signed by the Chairman on behalf of the meeting, be presented to the Governor, and that the Chairman having been adopted, and three cheers for Dr. Lang, the meeting broke up. A number of persons proceeded to the residence of Dr. Lang, to greet the reverend doctor, and to express their sympathy with him."

[illegible]

the evidence given on behalf of the Crown."

"The plate used for furnaces mostly owes its premature destruction to the great thickness of metal employed: it thus conducts heat more slowly and is more liable to fracture than a thinner plate, besides it is much less likely to be sound than the latter, although of an excellent exterior, which conceals the defects of its interior. The plates of the same size examined, in a foreign port, an excellently constructed boiler of a 200-horse marine engine, and of the very best material, which had been comparatively seldom employed during eighteen months, evidenced the greatest care in the selection; but the side plates of the fire-places, from the bars upwards, required to be replaced from no other cause than that of being too thick. These cases are very common. The furnace observed, in the *Warrington*, a vessel of the same name, after Mr. M'jenty's steam vessels before observed, in the Mediterranean, as likewise those employed on other occasions, which need repairs in the plates several times before the boilers are required to be taken out of service and decay. Many have been formerly misled as to the cause of injured boilers. I have witnessed ingenious expedients of negligent persons to account for same in the presence of eminent engineers, and the same being repeated, the necessity of watching proceedings on a long sea voyage were obliged to a great extent, to take plausible reasons for such, viz., saltness of the Mediterranean Sea, allowing water to be too low in the boilers, or the frequent use of sea-water, which, if copper, will soon exhibit the consequences. Thicker plate has been adopted probably to resist the tendency to bend, but it only increases the evil. Plates for the side of fireplaces, to be taken out of service, in the largest boilers above bars, be more than three-eighths of an inch thick; and in smaller boilers, a less thickness would be preferable, as no oxidation takes place here, or even throughout the flues, of any kind, or frequent use of sea-water, or soot, thereon deposited. This fact is decidedly opposed to the notion generally propagated, that the iron rapidly imbibes oxygen from the atmosphere, and is oxidized when the fire-doors are opened to re-admit the air. The plates are experienced *practically* from this cause, than from that found to be sustained by the exterior of a common culinary boiler, the plates not being exposed to heated to imbibe a destructive portion of oxygen."

I am, Gentlemen,
Your obedient servant,
JOHN STRUTH.

BIRTHS.

On Monday, the 26th instant, at Paramatta, the lady of Captain Edward Battye, A.D.C., Royal Welsh Fusiliers, of a daughter.

On Tuesday, the 27th instant, at Paramatta, the 23rd instant, the wife of the Reverend C. F. Brigstocke, of a son.

On the 17th instant, at Bangsheet, Gwydir River, Mrs. R. B. Ottley, of a son.

By special license, on the 21st ult., at Trinity Church, Kelso, by the Rev. A. Lisle, George W. Lord, Esq., J.P., to Elizabeth, the daughter of William Lee, Esq., J.P., Clarendon.

By special license, at St. James' Church, by the Rev. Mr. Druitt, Mr. Francis Giles, to Frances Mary, eldest daughter of Mr. William Soole, of George-street, Sydney.

ADVERTISEMENT
TO CHARLES MACARTHUR, ESQ.,
GUNDAGAI.

SIR,—My attention was arrested this morning, by seeing in the columns of the *Sydney Morning Herald*, a report of a constant, a letter bearing your signature, in which an attack is made upon the conduct of myself, and some of the other Justices of this district.

That that we have acted illegally in the matter referred to in your letter; the case stands thus:—The magistrates at the general meeting for granting publicans' licenses for the year ending on the 31st of December, 1852, divided the Gundagai district into three divisions, and gave a license to Mr. Spencer, whereupon the magistrates of the Tumut district having taken all the circumstances into their consideration (not their judicial capacity as your letter would infer), they were of opinion that Mr. Spencer was a character, who, with Mr. Spencer's character, prayed H's Excellency the Governor to grant Mr. Spencer a license.

We were bound to judge that a very short time only has elapsed since that Mr. Spencer, who Mr. Spencer resides, formed a portion of the police district of Tumut, and it was at the hands of the Justices acting in and for this district, that Mr. Spencer received his license, and received his certificate for a publican's license.

It may be true, that Mr. Spencer has not reached that standard of virtue which Mr. Jenkins considers it necessary to require of an applicant for a publican's license; but the Governor, in granting Mr. Spencer a license, has not determined that in that district a man must be a publican and a sinner too; nevertheless, I conscientiously believe Mr. Spencer to be a publican, and to hold such a license as ninety-nine out of a hundred would do so.

I must decline entering into a long discussion with you upon all the questions mooted in your letter, as it is a principle of mine, and indifference to me whether you and your friends consider my acts legal or illegal—approve of them or otherwise; if I act contrary to the law, I do so at my own peril, but "who makes a law is a just judge over me."

That portion of your letter in which you say "I feel it incumbent upon me to prepare you for the case," and other gentlemen of this district, feel entitled to take on this point," reminds me of a funeral notice in "Pickwick," where Mr. Snodgrass, in a truly Christian spirit, and in order that he might take no one unawares, announced in very moderate terms, that he was going to begin, and would produce, and take his cost off with the utmost deliberation.

Should the inhabitants of the Gundagai district derive even half the advantage which you seem to anticipate they will do by your coming as a justice of the peace, it will be pleasing to myself to reflect that I participated in a yet which drew you "from the shadows where you slept."

As I have no opportunity in writing the above-mentioned letter, leaves no doubt on my mind that "thou art beside thyself." The grammatical construction of some of its paragraphs, precludes, however, the inference that "much indeed is to be said in your favor."

In discussion, let me advise you, if you are determined to rest your fame on literary efforts, given to it in the public journals, at any rate to learn to write intelligible English, otherwise to your personal and professional credit, they may reflect with little to convince you that they did not emanate from the quill of a goose.

I am, Sir,
Your obedient servant,
F. W. VYNER.

Tumut, August 23 3760

To His Excellency Sir Charles Augustus Fitz Roy, Knight Companion of the Royal Hanoverian Guelphic Order, Captain-General and Governor-in-Chief of the Colony of New South Wales, and of the Dependencies, and Vice-Admiral of the same, &c.

WK, the undersigned, Magistrates, Settlers, and other inhabitants of the Bahrat and Wellington districts, having read in the *Sydney Morning Herald* a report of the proceedings at a public meeting, held near the Circular Quay, on Monday, the 12th instant, for the purpose of adopting certain resolutions of censure of your Excellency's conduct as Governor, and of expressing their disapproval of your Excellency our great regret and indignation that language so coarse and insulting should have been applied to your Excellency and family.

We beg to assure your Excellency that we have every confidence in the just and impartial administration of your Excellency's Government, and that your Excellency possesses our personal respect.

We beg to assure your Excellency that Sydney is not New South Wales, and that the feelings of disaffection and disloyalty recently manifested amongst certain classes in Sydney, do not extend to the residents of these districts, and that the opportunity of coming to your Excellency these sentiments of unshaken attachment and loyalty to Her Majesty the Queen.

SOLUBLE CHOCOLATE.
THE undersigned have just completed their machinery for manufacturing
CHOCOLATE PASTE
AND
SOLUBLE CHOCOLATE.
FAMILIES are strongly recommended to use the above, which requires no boiling, and may be made in one minute with a little hot water.

SELLING PRICES
Chocolate Paste, 1 lb. per pot, *quite fresh*
Soluble Chocolate, 1 lb. 4d. per pound, in
tinfoil packets.
Cocoa Shells, 8d. per pound, *for invalids*
Cocoa Nibbs, 1 lb. per pound.
SETTLERS will find the soluble chocolate
more nourishing and stimulating than either
sugar or coffee, and as it is portable (in 10 lb.
packets) and very easily made, it is strongly
recommended and the quality warranted by
S. PEEK AND CO.,
2071 Sole Manufacturers.

S. PEEK AND CO. respectfully in-
form you that their friends, that in consequence
of the consumption of
COFFEE
having exceeded the supply, it has risen in
price, and cannot now be sold in the pure state.
OFF SHILLING AND FOURPENCE PER POUND.
The quality remains the same, and cannot be
surpassed.
Flake Chocolate one shilling per pound.

NOTICE—If Mr. Frederick Haynes, who
formerly held an appointment under
the Government in Van Diemen's Land,
will communicate with Dr. Cresswell,
or the Registrar of the Court of Sessions
at Hobart Town, he will hear of something to
his advantage.

EMIGRANT—BY THE LORD
STANLEY.
The Families and Single Males by the
Lord Stanley will be ready for engage-
ment, on board the ship, between the hours of
10 a.m. and 2 p.m. on *Thursday*, the 29th
instant.
The Unmarried Females will be landed and
lodged in the Institution, Hy's Park Barracks,
where they can be hired between the hours of
2 and 4 p.m. on *Thursday*, the 29th instant,
by parties whose respectability is known at the
Immigration Office.
Immigration Office, August 27. 3748

IN THE INSOLVENT ESTATE OF
GEORGE PATRICK, LATE OF CHIP-
PENDALE, MILLER.
I HEREBY call a Special Meeting of
the Creditors of the above Estate, to be
held on *Tuesday*, the fifth day of September,
A.D. 1859, at the hour of eleven in the fore-
noon, at the Office of the Chief Commissioner
of Insolvent Estates, in the Supreme Court
House, King-street, Sydney, for the purpose
of getting the directions of the creditors, either
to surrender to one John Smith the household
furniture and effects claimed by him under a
Bill of Sale, or to defend an action brought by
him against the Official Assignee, for retaining
their instructions for the creditors, in terms of
their instructions, and also for general manage-
ment of the affairs of the Estate.
GEORGE KING,
3560 Official Assignee.

IN THE ESTATE OF THOMAS
KERR.
LATE OF MURVELLHURK, DECEASED.
CREDITORS in this estate are hereby
informed that the accounts of the ad-
ministrator have been prepared, and are now
ready for inspection at the office of the under-
signed. And also, that a first dividend of 5s.
in the pound on all claims proved and allowed
will be payable at the said office, on and after
Monday, the 13th instant.
THUWLOW AND GRANT,
Solicitors for the Administrator.
Sydney, August 3. 3730

BARQUE MOSELLE.
CONSIGNEES of Goods by this
vessel are requested to pass their entries
immediately for Campbell's Wharf.
GILCHRIST AND ALEXANDER.
3741

NOTICE—If Mr. John McCreery,
formerly of Kilkenny, does not call and
pay what is due for board and lodging for him-
self, wife, and child, within fourteen days from
the date, the property in my possession will be
sold to defray part of the charges.
JAMES REYNOLDS,
Vine Cottage, Kent-street.
Sydney, August 26. 3744

TO BUILDERS AND CONTRACTORS.
COMPETENT persons desirous of
contracting for the erection and comple-
tion of *Four Dwelling Houses*, Out Offices,
and certain other works, in Fort and Argyle
streets, Sydney, for the William Cole, may
send in their Proposals, at Campbell's Wharf,
on the 20th proximo, at the Office of the under-
signed.
No Tender will be accepted unless con-
sidered eligible, and security, if required, is to
be given for the due performance of the con-
tract.
JOHN STAFFORD,
Architect and Surveyor.
Bank of Australia Building,
George-street, August 25. 3739

SHIP BALMORAL.
CERTAIN repairs being required for
the above vessel, parties willing to un-
dertake the same are requested to apply to
Captain FRYE, on board, at Campbell's Wharf,
from whom full particulars may be obtained.
L. AND S. SPYER,
Agents.
August 26. 3676

TO COAL MINERS.
WANTED, by the Australian Agri-
cultural Company, for their Mines at
Newcastle, able and willing Colliers. Liberal
wages given. Apply to W. CADDEBELL, Esq.,
Superintendent, Newcastle; or to F. E. E-
WORTH, Esq., Queen-street, Sydney.
J. EDWARD BROWN, Company,
Commissioner for the A. A. Company.
August 24. 3671

STOCKMEN OF CATTLE STATIONS.
WANTED, two respectable men for
the above occupation. None but compe-
tent persons would be engaged. Apply to
the undersigned, at the Kent Brewery Office.
3695

SAWYERS AND BULLOCK DRIVER.
WANTED IMMEDIATELY.
A pair first-rate Sawyers, and an expe-
rienced Bullock-driver, for the Richmond
River; none but qualified men need apply.
Wages, liberal. Apply this morning, at 12
o'clock, to Mr. JAMES MANROSE, Halfday's
Coal Wharf, Windmill-street.
August 26. 3743

WILLAWARRA.
WANTED, a Man and a Wife, who
are accustomed to dairymen and dairies.
The man must be a good milkman, and if he
can make butter, he will be required to do so.
The woman to act as house-servant to a single
gentleman; and either she, or her husband,
should be able to make a good bread. Apply to
Mr. TAYLOR, at the L-edge, Doyle's Ware-
house, liberal. 3594

WANTED a steady active woman
about thirty years of age, as general
servant in a small family. Wages £30 per
annum. Apply at No. 463, George-street.
August 27. 3771

GROOM.
WANTED, at the Horse Bazaar, 905,
Pitt-street, a steady and experienced
Stable man. Apply to JOHN STRAW, 3760

NO SHOEMAKERS—A young man
who knows a little of the ladies' shoe
making, wishes to meet with a party who would
undertake to perfect him. Address, stating
the name of the party, to the undersigned.
3760

This image shows a blank, aged, cream-colored page, likely an endpaper or flyleaf of a book. The paper has a slightly textured appearance with some minor discoloration and a small dark spot near the top left. A vertical crease runs down the center of the page, suggesting it was once folded. The overall tone is a warm, off-white or light beige.

